



Oifig Na bPaitinní

Patents Office

Oifigí an Rialtais
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WORLD INTELLECTUAL PROPERTY ORGANISATION
34, CHEMIN DES COLOMBETTES
PO BOX 18
1211 GENEVA 20
SWITZERLAND

Date of Notification: 25 January 2005
(By registered Mail)

International Registration No: 0838184
Mark: NOVO
Holder: Heinzl Holding GmbH of Austria

Notification of the Irish Patents Office of Refusal of Protection

Dear Sir/Madam,

This notification is issued pursuant to Article 5 of the Protocol relating to the Madrid Agreement concerning the International Registration of Marks and Rule 17(2) of the Common Regulations under the Agreement and Protocol, and is to inform you that protection for this mark is refused for the reasons set out below. Any references to Sections are to Sections of the Trade Marks Act, 1996 and to Rules are to Rules of the Trade Marks Rules, 1996.

1. Section 10(2)

There exists a likelihood of confusion on the part of the public between the mark and the following earlier mark(s):

Registered Community Trade Mark No:002204154

Mark:NoVo

Proprietor: Novo International Company Limited

Unit A, 9th Floor, CDW Building, 388 Castle Peak Road

Tsuen Wan, New Territories

THE HONG KONG SPECIAL ADMINISTRATIVE REGION OF THE PEOPLE'S
REPUBLIC OF CHINA

Date of Application:04/05/2001

Date of Registration:19/05/2004

Class 40 :Custom manufacture of goods for third parties namely products for use on desks and desk paraphernalia, golfing sets, visiting card holders and writing pad holders, visiting card wallets, clips for bank notes, bookmarks, photograph frames,



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clocks, key rings, letter openers, wine and cigar accessories, accessories for men's clothing, timetables and letter wallets.

Class 42 :Design of products for use on desks and desk paraphernalia, golfing sets, visiting card holders and writing pad holders, visiting card wallets, clips for bank notes, bookmarks, photograph frames, clocks, key rings, letter openers, wine and cigar accessories, accessories for men's clothing, timetables and letter wallets; design of gift accessories; packaging design.

2. This refusal is in respect of all of the goods for which protection is sought.
3. The holder may make representations in writing, or may request an extension of time for doing so, not later than **24 April 2005**. A request for an extension of time received after that date may be granted at the discretion of the Controller.
4. If representations or a request for an extension of time are not received by the specified date, protection of the mark will be refused.
5. Representations to the Controller or a request for a hearing in relation to this notification of refusal must be accompanied by an address for service within the State as required by Rule 10; failure to furnish such address will result in the holder being deemed to have abandoned his request for protection.
6. If, following the receipt of representations, it is considered that the requirements for protection are met, the mark will be published in the Official Journal and protection of it will be subject to opposition and observations by third parties. A refusal based on opposition or observations received may subsequently be issued.

7. Date of refusal: 25 January 2005

Yours faithfully

Alison Tracey
Trade Marks Examiner
Ext.: 4177
Direct Line: (056) 7720177